

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

MICHAEL WOOD and ELIZABETH WOOD, §
Plaintiffs, §
§
v. § NO. SA-10-CA-0941-H
§
UNITED STATES OF AMERICA, §
Defendant. §

**DEFENDANT'S ADVISORY TO THE COURT REGARDING PLAINTIFFS' OPPOSED
MOTION TO EXCLUDE EVIDENCE AND TESTIMONY**

TO THE HONORABLE HARRY LEE HUfspeth, U.S. DISTRICT JUDGE:

COMES NOW, the United States of America, Defendant herein, by and through Robert Pitman, United States Attorney for the Western District of Texas, and files this Advisory to the Court regarding Plaintiffs' Opposed Motion to Exclude Evidence and Testimony.

The parties have reached an agreement concerning Medicare payments made to Mr. Wood's healthcare providers related to this case. Therefore, Plaintiffs' Opposed Motion to Exclude Evidence and Testimony is moot, and the Plaintiffs have agreed to withdraw the motion. A joint motion to withdraw Plaintiffs' Opposed Motion to Exclude Evidence and Testimony will be filed shortly.

Respectfully submitted,

ROBERT PITMAN
UNITED STATES ATTORNEY

By: /s/ Dimitri N. Rocha

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Advisory to the Court was electronically filed via the Court's CM/ECF system and served via ECF on this 4th day of January, 2012, to:

Jeffrey C. Anderson
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/s/ Dimitri N. Rocha
DIMITRI N. ROCHA
Assistant United States Attorney